

2/13/98

AVIATION SYSTEM STANDARDS

**SUBJ: POLICY WITH RESPECT TO MILITARY PROGRAM PROCEDURES FOR FLIGHT
INSPECTION OF FOREIGN-OWNED AIR NAVIGATION FACILITIES**

- 1. PURPOSE.** This order establishes Aviation System Standards (AVN) policy for the management of international flight inspection activities conducted by the FAA on foreign-owned air navigational aids (NAVAIDS) designated as essential to U.S. military operations, and the systematic review of those activities.
- 2. DISTRIBUTION.** This order is distributed to the division level in the Office of International Aviation, to the branch level in the Office of Aviation System Standards, and to all employees of the International Flight Inspection Office. Special distribution will be made to the Executive Director, Department of Defense Policy Board on Federal Aviation and executive offices of the U.S. Military services.
- 3. CANCELLATION.** FAA Order 8200.24A, Policies With Respect to Flight Inspection of Air Navigation Facilities in Foreign Territory, dated August 25, 1986, is canceled.
- 4. BACKGROUND.** The FAA assumed responsibility for flight inspection of air navigation facilities owned and operated by the Department of Defense (DOD) in foreign territory, and certain foreign-owned air navigation facilities designated essential to the U.S. military mission, under agreement negotiated between FAA and the United States Air Force, effective November 27, 1962; with the United States Army (NAT-127), effective February 14, 1964; and with the United States Navy, effective July 12, 1963. Basic authority for FAA assumption of this function from the U.S. military is contained in Executive Order 11047, dated August 28, 1962. In accordance with the terms of these agreements with the U.S. military, FAA performs required flight inspection services under its own appropriations, without reimbursement from the military, but subject to scrutiny by the Office of Management and Budget (OMB). The U.S. policy on flight inspection of air navigation aids on a worldwide basis is contained in the Interagency Group on International Aviation (IGIA) Document 77/4.6G, entitled Flight Testing of Navigation Aids - U.S. Policy with Respect to the Flight Inspection of Air Navigation on a Worldwide Basis.
- 5. RELATED PUBLICATIONS.** FAA Order 1240.9, International Aviation Programs, and FAA Order 2500, Reimbursable Agreements Covering Services and Materiel Provided by the FAA.
- 6. POLICY FOR MILITARY PROGRAM PROCEDURES.** The point of contact for these procedures is the Manager, DOD Programs for Flight Inspections, AVN-8.
 - a.** The FAA will provide flight inspection for foreign-owned NAVAIDS designated as essential to the U. S. military worldwide.

b. The FAA and DOD have agreed that military requests for flight inspection of foreign-owned air navigation aids, designated as essential to U.S. military operations, be routed from the military department headquarters through the Executive Director, DOD Policy Board on Federal Aviation, to the Program Director of Aviation System Standards, with an information copy to the Office of International Aviation (AIA).

c. Aviation System Standards will annually review the DOD requirements for FAA flight inspection of foreign-owned navigational aids. The review will be coordinated with the Executive Director, DOD Policy Board on Federal Aviation.

d. Aviation System Standards may inquire whether the DOD would object to a country performing all or part of the flight inspection program in instances where AVN believes that country's aeronautical authority is adequately equipped and competent to do so. If the DOD concurs with the proposal, AVN will coordinate with AIA, and they will jointly evaluate the capability of the country concerned. This evaluation will include the adequacy of its flight inspection equipment, facilities, and the competency of its personnel to conduct all or part of the flight inspection program required by the DOD. Aviation System Standards will report the conclusions to the Executive Director, DOD Policy Board on Federal Aviation for a final DOD determination. Conversely, DOD may initiate a request to the Program Director of AVN regarding their desire to have FAA evaluate the capabilities of a particular country and provide conclusions.

e. In accordance with the latest edition of FAA Order 1240.9, International Aviation Programs, Chapter 3, International Agreements, the Office of International Aviation will conduct negotiations through the Department of State (DOS) to obtain an agreement when it has been determined feasible to transfer flight inspection services to a host country. The DOD is responsible for immediately informing the DOS and the appropriate foreign government whenever any foreign-owned air navigation facility is deleted from the list of essential facilities that the FAA was required to flight inspect.

f. Aviation System Standards will respond immediately to emergency requests, for flight inspection of foreign-owned air navigation facilities, directly from a DOD Major Command (MAJCOM) Level or higher, provided DOD has obtained the necessary concurrence of the foreign government for FAA aircraft and aircrews to perform the requested inspections. The Program Director of AVN shall report promptly to the FAA Administrator, through the Director of Airway Facilities Service, any emergency flight inspection services provided and inform AIA of the services provided at no cost to the host country.

William H. Williams, Jr.
Program Director of Aviation
System Standards